

07/06/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. 43-10539

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NORMAN BROTHERS 8400 WEST 3255 NORTH CORRINE, UT 84307 (801)863-6264
Lienholder	WESTERN FARM CREDIT PO BOX 13106 SACRAMENTO, CA 95813
Original Owner	CUMMINGS TRUST , ID
Original Owner	UTAH FARM PRODUCTION CREDIT ASSN ATTN: NELSON A CARTER PO BOX 7925 MURRAY, UT 841070925

Priority Date: 10/14/1956
Basis: Beneficial Use
Status: Active

Source Tributary to
GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.67 CFS		
Total Diversion			0.67 CFS		

Location of Point(s) of Diversion:

GROUND WATER SENENE Sec. 27 Township 13S Range 27E CASSIA County

IRRIGATION Use:
Acre Limit: 101.6

Place(s) of use:

Place of Use Legal Description: IRRIGATION CASSIA County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
13S	27E	27		NENE	33		NWNE	33		SWNE	33		SENE	33
				NENW	33		NWNW	33		SWNW	33		SENW	33

Total Acres: 264

Conditions of Approval:

1. R19 The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.
2. 01Q After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
3. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Remarks:

1. General Right 43-10539 is limited to the irrigation of 101.6 acres within the place of use described above in a single irrigation season.
2. General Rights 43-2450D, 43-10539 and 43-10541 when combined shall not exceed a total diversion rate of 1.52 cfs, a total annual maximum diversion volume of 304.0 af at the field headgate, and the irrigation of 229.6 acres.
3. Explanatory Rights 43-10539 & 43-10541 are expansions of Right 43-2450D pursuant to Section 42-1416B, Idaho Code.
4. General Rights 43-2447B, 43-2448B, 43-2450D, 43-10539 and 43-10541 when combined shall not exceed a total diversion rate of 3.61 cfs, a total annual maximum diversion volume of 738.0 af at the field headgate, and the irrigation of 264.0 acres.
5. General Approval of Transfer 66918 does not confirm SRBA Claim 43-10539.

Comments:

Author	Date	Subject	Comment
JSTANTON	7/21/1999	TRANSFER NO. 5498	Application seeks to create a PPU for 2 pivots in the N 1/2 S. 27 T. 13S R. 27E by drying up pivot corners in S. 15, same T/R.
pskaggs	5/7/2001 11:52:48 AM	Transferred Right	This is now an approved transfer, transfer number = 66918

Dates:

Licensed Date:
 Claim Received Date:
 Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:

Other Information:

Receipt Number(s): C007009
 State or Federal:
 Owner Name Connector: AND
 Water District Number:
 Generic Max Rate per Acre: 0.02
 Generic Max Volume per Acre: 4
 Combined Acres Limit: 229.6
 Combined Volume Limit: 304
 Combined Rate Limit: 1.52
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 13, 1993

JUL 15 1993

Department of Water Resources
Southern Region Office

Brent A. Kirkland
Hilliam Abstracting & Ins. Agency, Inc.
26 N. Tremont St.
Tremonton, Utah 84337

RE: NOTICE OF PLEDGE - NORMAN BROS. - YOUR FILE H-42303

Dear Mr. Kirkland:

The department has reviewed the Notice of Pledge which you forwarded to the department in connection with water right filing nos. A43-02450B, A43-02450D, A43-10539, A43-10541 and 43-07224 as shown by department records. Your letter advises that you have executed a mortgage in connection with the water right filings and you have asked the department to notify you of any future changes in connection with the water right filings.

I have reviewed the specific water right documents in department files and wish to provide the following information to you:

A43-02450B is a Snake River Basin Adjudication claim based on prior license 43-02450B. The claim has been renumbered in department files to A43-02450D. The right provides for the diversion of 1.52 cfs of ground water for the irrigation of 76 acres.

A43-10539 is a Snake River Basin Adjudication claim based partly on an accomplished transfer and partly on the Critical Ground Water Area expansion presumption of section 42-1416B, Idaho Code.

A43-10541 is a Snake River Basin Adjudication claim based on the presumptions of Section 42-1416B, Idaho Code.

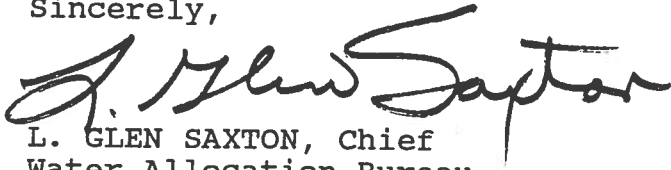
43-07224 is a pending application for permit which has not been approved by the department. The department likely will not approve the application, since it is in the Raft River Critical Ground Water Area.

All of the above described water rights are dependent upon action by the department or the Snake River Basin Adjudication court to determine their validity.

Enclosed is a copy of the Notice of Pledge you forwarded which I have acknowledged receipt of by signing the bottom of the form. The department will file a copy of the Notice of Pledge with each of the water right files you have referenced.

If you have questions, please feel free to contact the department.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Glen Saxton". The signature is fluid and cursive, with the first name "L." being small and the last name "Saxton" being larger and more prominent.

L. GLEN SAXTON, Chief
Water Allocation Bureau

Encl: 1

c: IDWR - S. Region

Statehouse
Boise, ID 83720

Attention: Water Rights Supervisor

Please be notified that the undersigned have this date executed a Mortgage in favor of the Western Farm Credit Bank, covering certain land in Cassia County, State of Idaho, together with the Mortgagor's right, title and interest in and to the following described water rights:

All water rights appurtenant to the North half of Section 27, Township 13 South, Range 27 East of the Boise Meridian, including but not limited to the following:

- (a) Rights under Water License Nos. A43-02450B and A43-02450D evidencing the right to pump 1.52 c.f.s. of underground water for the irrigation of 76 acres of the above described land, issued by the Idaho Department of Water Resources.
- (b) Rights under Water License Nos. A43-10539 and A43-10541 (*approval pending beneficial use*) evidencing the right to pump 1.22 c.f.s. of underground water for the irrigation of 153.6 acres of the above described land, issued by the Idaho Department of Water Resources.
- (c) Rights under Water License *Application* No. 43-07224 evidencing the right to pump 2.94 c.f.s. of underground water for the irrigation of 240 acres of the above described land, issued by the Idaho Department of Water Resources.

The said Mortgage, given to secure a promissory note of even date, was recorded

June 23, 1993 in the office of the County Recorder of the above referenced County, as
Instrument Number 225291.

Please file this notice with your records of the above referenced and direct notice of any intended change of the place of use or other change which materially affects the beneficiary's security interest in the said rights to the Western Farm Credit Bank, P.O. Box 13106, Sacramento, California 95813.

Dated this 7th day of June, 1993.

NORMAN BROS., FARMS, a Partnership

By: Milton H. Norman
Milton H. Norman, Partner

By: Royal K. Norman
Royal K. Norman, Partner

By: Newell K. Norman
Newell K. Norman, Partner

By: J. Sidney Norman
J. Sidney Norman, Partner

Receipt of the Notice of Pledge, of which this is a duplicate original, is acknowledged. One original of this notice will be filed with the records of the subject water rights in this Office.

7-13-93

A. M. Santos M. W. Allee Bur.

Water Right Number - A43-10539

Prefix Translation:

ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - +

+ - - - -

*** C - CURRENT OWNER ***
NORMAN BROTHERS

1 - 8400 WEST 3255 NORTH

2 -

3 -

City- CORRIE

Phone - 801-863-6264

State- UT Zip- 84307

*** L - LEINHOLDER ***
WESTERN FARM CREDIT BANK

1 - PO BOX 13106

2 -

3 -

City- SACRAMENTO

Phone - 208-000-0000

State- CA Zip- 95813

+ - - Priority Date - - +
10/14/1956

+ - - - - Region - - - +
17 SOUTHERN

+ - - - - Stage - - - +
J - BENEFICIAL USE

+ - - - - Status - - - +

+ - - - - Source - - - - +
GROUNDWATER

+ - - - - Tributary - - - - +

+ - - - - Point of Diversion - - - - +
Twn Rng Sec Tract Lot Rflg County

13S 27E 27 NE NE (31) CASSIA

+ - - - - Code Description Period From Period To Water Use Diversion Rate Diversion Volume

01 - IRRIGATION

03/15 11/15

1.220

+ - Total Div. Rate - + + - Total Div. Volume - +
1.220

+ - Total Consumptive Use - + + - KW Usage - +
357.0

+ - - - - Twn Rng Sec Tract Lot Acres Place of Use Code Description County

13S	27E	27	NE NE	12.7	01	IRRIGATION	(31) CASSIA
13S	27E	27	NW NE	12.7	01	IRRIGATION	(31) CASSIA
13S	27E	27	SW NE	12.7	01	IRRIGATION	(31) CASSIA
13S	27E	27	SE NE	12.7	01	IRRIGATION	(31) CASSIA
13S	27E	27	NE NW	12.7	01	IRRIGATION	(31) CASSIA
13S	27E	27	NW NW	12.7	01	IRRIGATION	(31) CASSIA
13S	27E	27	SW NW	12.7	01	IRRIGATION	(31) CASSIA
13S	27E	27	SE NW	12.7	01	IRRIGATION	(31) CASSIA

Total Acres: 101.6

+ - - Diversion Means - DRILLED WELL, VERTICLE TURBINE PUMP, SPRINKLERS

+ - - Non-Irrigation Use -

Water right number - A43-10539

Prefix Translation: ADJUDICATION CLAIM

+ - - Other Rights for Same Use - NONE

THIS WATER IS PART OF A RIGHT CONVEYED TO NORMAN BROTHERS BY SALE OF LAND IN 1980. THE WATER WAS USED ON THESE AND OTHER LANDS CONTINUOUSLY FROM 1950 THROUGH THE 1983 IRRIGATION SEASON. THE INTENT HAS BEEN TO CONTINUE USING THE WATER ON THESE LANDS BUT APPLICANT WAS PROHIBITED BY IDWR. THE USE OF WATER ON THESE LANDS FALLS WITHIN THE INTENT OF HB 285 AND SHOULD BE ALLOWED.

+ - - - - No Old Water Right Numbers Found

- - - - - Old Water Right Numbers

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - - Decree Date - +
00/00/0000+ - - - - Comments - - - - -
No Comments Found+ - - Audit Fields - - +
00/00/00

+ - - - - Adjudication Rights Dates and Flags Area - - - - -	
Court Report Filing	- 00/00/0000
Objection Filed Date	- 00/00/0000
Response Filed Date	- 00/00/0000
Claim Received Date	- 05/23/1989
Field Inspection Made	- 00/00/0000
Field Inspection Flag	-
Verified Date	- 00/00/0000
Last Amended Date	- 00/00/0000
Receipt Number	- C007009
POU Ownership Flag	- Y
Name Connector	-
Civil Case Number	- 39576
Old Case Number	-
Old Judicial District	-
Temporary Right	- P
Water District	-
Federal/State Indicator	- S
Presumption Flag	- E
Notice of Error Flag	-

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A43-10539
Date Received: 5/23/1989
Receipt No: C007009
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NORMAN BROTHERS
Address: 8400 WEST 3255 NORTH
CORRINE, UT

801-863-6264

84397

2. Date of Priority: OCT 14, 1956

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13S	27E	27	NE	NE			CASSIA

5. Description of diverting works:
DRILLED WELL, VERTICLE TURBINE PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.220		

7. Total Quantity Appropriated is:
1.220 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 357.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	27E	27	NE	NE		IRR	12.7
			NW	NE		IRR	12.7
			SW	NE		IRR	12.7
			SE	NE		IRR	12.7

A43-10539

Page 1

Date: 06/20/89

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MAR 05 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	27E	27	NE	NW		IRR	12.7
			NW	NW		IRR	12.7
			SW	NW		IRR	12.7
			SE	NW		IRR	12.7
Section Acres							101.6
Total Acres							101.6

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

THIS WATER IS PART OF A RIGHT CONVEYED TO NORMAN BROTHERS BY SALE OF LAND IN 1980. THE WATER WAS USED ON THESE AND OTHER LANDS CONTINUOUSLY FROM 1950 THROUGH THE 1983 IRRIGATION SEASON. THE INTENT HAS BEEN TO CONTINUE USING THE WATER ON THESE LANDS BUT APPLICANT WAS PROHIBITED BY IDWR. THE USE OF WATER ON THESE LANDS FALLS WITHIN THE INTENT OF HB 285 AND SHOULD BE ALLOWED.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

**IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM**

CIVIL CASE NUMBER: 39576

Ident. Number A43-10539Date Received 5-23-89Receipt Number C007009

EXPANDED USE CLAIM

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW**

Should questions arise during
the processing of this applica-
tion please contact:

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

Please type or print clearly1. Name of Claimant (s) Norman Brothers Phone (801) 863-6264Mailing Address 8400 W. 3255 N., Corrine, Utah Zip 843072. Date of Priority (Only one (1) per claim) October 14, 19563. Source of water supply (a) Ground water
which is tributary to (b) N/A4. a. Location of existing point of diversion is: Township 13S Range 27E Section 27,
1/4 of NE 1/4 of NE 1/4, Govt. Lot, B.M., County of CassiaAdditional points of diversion if any: Noneb. If instream flow, beginning point of claimed instream flow is: N/A

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Drilled well and vertical turbine pump
using a sprinkler irrigation system.**MICROFILMED****MAR 05 1993**

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount 1.22 or 408

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.22 (cfs) and/or (b) 408 (acre feet)

8. Total consumptive use claimed is 357 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) None

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
13S	27E	27	12.7	12.7	12.7	12.7	12.7	12.7	12.7	12.7									101.6

Total number of acres irrigated 101.6

11. In which county (ies) are lands listed above as place of use located? Cassia

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks: This water is part of a right conveyed to Norman Brothers by sale of land in 1980. The water was used on these and other lands continuously from 1950 through the 1983 irrigation season. The intent has been to continue using the water on these lands but applicant was prohibited by IDWR. The use of water on these lands falls within the intent of HB 285 and should be allowed.

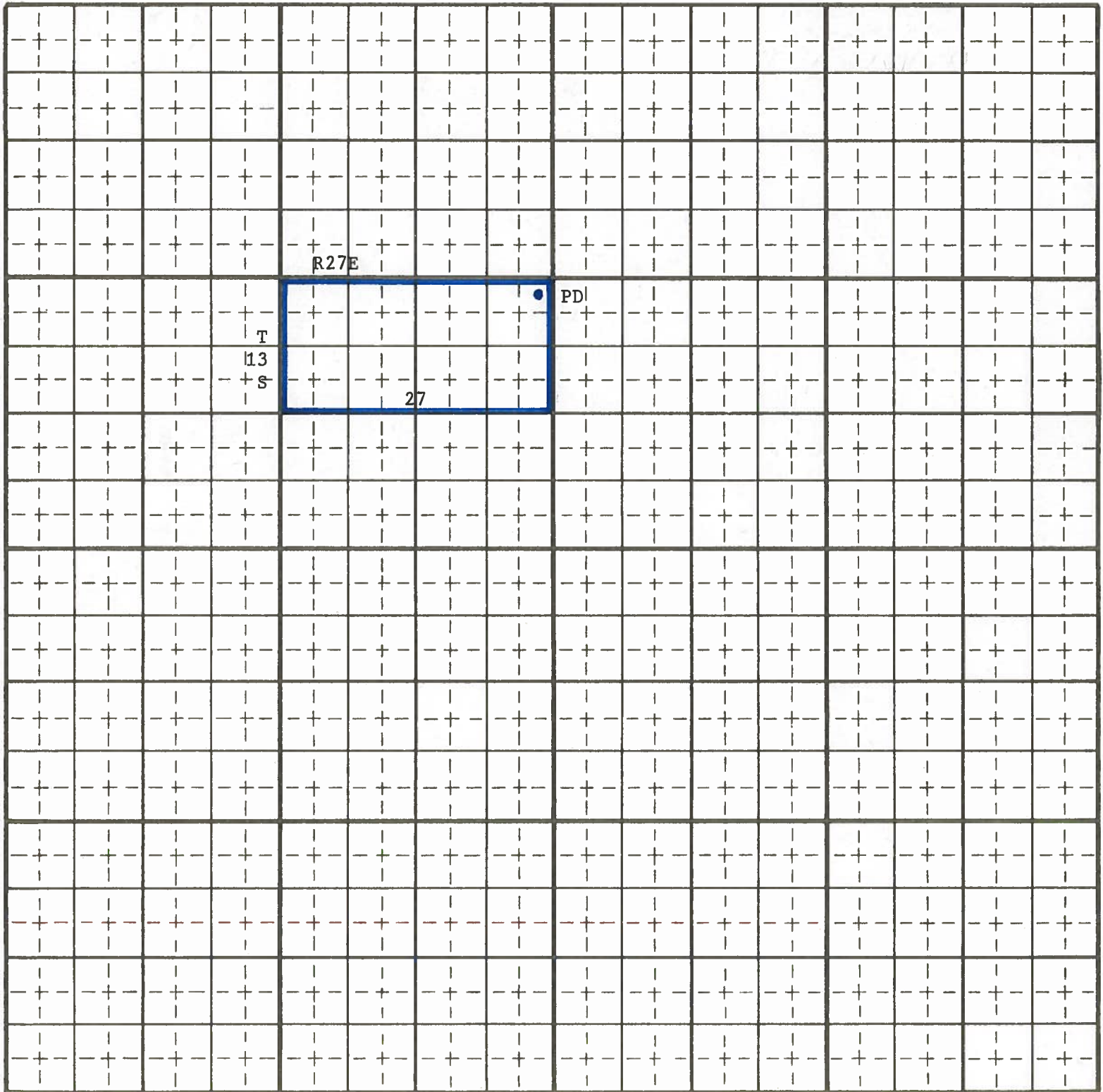
Last Name Norman Brothers Ident No. _____

Copies: White - State Yellow - County

MICROFILMED
MAR 6 5 1983

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name Norman Brothers Ident No. _____

Copies: White-State, Yellow-Edmund
MAR 05 1993

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15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 43-2450
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 0

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

✓ For Organizations: I do solemnly swear or affirm that I am partner Title _____
of NORMAN Brothers Organization _____, that I have signed the foregoing
document in the space below as partner Title _____ of NORMAN Brothers Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Newell K. Norman
Title and Organization partner NORMAN Brothers Date 5-19-89

State of ~~Idaho~~/or Utah)
County of Box Elder) SS.

Subscribed and sworn (or affirmed) before me this 19 day of May 19 89

SEAL

Notary Public Ann H. Norman
Residing at Carroll, Utah
My Commission Expires 9-26-91

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Norman Brothers Ident. Number _____

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MAR 05 1993
Copies White-State, Yellow-Claimant

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Noeman Bros CLAIM IDENT. NO. A43-10539

DATE RECEIVED 5/23/89 CK # 007009 AMOUNT \$ 132.00

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates?			
See Adjudication Memos #1 and #4 to determine if a Permit is required.			
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	<u>N/A</u>	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	☒	☐	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered?	<u>N/A</u>	☐	
Is the consumptive use correct?	<u>N/A</u>	☐	
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.	<u>N/A</u>	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	<u>N/A</u>	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	<u>N/A</u>	☐	
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	☒	☐	*
18. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
19. Was this claim filed on time, or was an extension granted?	☒	☐	*
20. Is the fee enclosed correct?	<u>Exempt</u>	☐	*
21. If this claim is based on an existing water right, has the identification number been entered?	<u>N/A</u>	☐	
22. Should this claim be data entered?	☒	☐	

Claim checked by: BB Date: 6/20/89

Claim must be returned to claimant: (Yes) (No)

Claimant must be notified of modifications: (Yes) (No)

Receipt Prepared by: BB Date: 6/20/89

Claim data entered by: BB Date: 6/20/89 Checked by: BB Date: 6/20/89

Sent to claimant by: BB

Comments: 152.00 = fee

MICROFILMED
MAR 05 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

December 5, 1991

R. KEITH HIGGINSON
Director

A43-10539
NORMAN BROTHERS
8400 WEST 3255 NORTH

CORRINE

UT 84397

RE: Evidence of Priority

RESPONSE DEADLINE
FEBRUARY 3, 1992

Dear Claimant:

The Notice(s) of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicate your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. **The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit.** The Department will soon conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided supporting the priority date you have claimed.**

The Department will not recommend the Notice(s) be decreed by the court as claimed if no evidence of a priority date is submitted.

Please find enclosed a computer printout of your Notice(s) and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

Please submit the required evidence supporting the priority date(s) by **February 3, 1992**, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

MICROFILMED
MAR 05 1993



**Raft River Rural
Electric Cooperative, Inc.**

250 North Main
P.O. Box 617
Malta, ID 83342
Telephone: 208-645-2211
FAX: 208-645-2300

January 16, 1992

Newell Norman
3255 N. 8400 W.
Corrinne, UT 84307

Dear Mr. Norman:

Enclosed is the information you requested for service #190129. This all the information we could find on this service. I hope this will of assistance to you.

Raft River Rural Electric

RECEIVED

FEB 10 1992

Department of Water Resources
Southern Region Office

Water Right Claim # A43-10539
A43-10541

MICROFILMED
MAR 05 1993

STATEMENT

RAFT RIVER RURAL ELECTRIC COOP., INC.

P.O. BOX 617 PHONE 645-2211
MALTA, IDAHO 83342

DATE

ACCOUNT NO

6/30/81

150923

BILLING CODES

- | | |
|---------------------|----------------------|
| 1. RESIDENTIAL | 5. NOTES RECEIVABLE |
| 2. SMALL COMMERCIAL | 6. OTHER RECEIVABLES |
| 3. STOCK PUMPS | 7. PAYMENTS |
| 4. PUBLIC BLDGS. | 8. ADJUSTMENTS |
| 5. IRRIGATION POWER | 9. SALES TAX |
| 6. LARGE POWER | |
| 7. INTEREST | |

INDICATES ESTIMATED
METER READING

NORMAN BROS.
SUBLETT ROUTE
MALTA, ID 83342

RECEIVED

SEP 14 1992

SERVICE OR REFERENCE NO.	METER READING		KWH USED	DEMAND	BILLING CODE	AMOUNT
	PREVIOUS	PRESENT				
BALANCE FORWARD						13,149.40
061281					67	2,143.79CR
061281					17	7,856.21CR
010909					6	356.48
010909					9	10.15
019069	336	2120	142720	252	2	1,805.20
019079	2836	2940	4160		1	78.72
019080	3981	4066	3400		1	65.80
019086	4160	4188	280		1	12.76
019087	2525	4740	88600	160	2	1,126.00
019099	5231	6622	55640	101	2	707.90
190100	7247	7704	18280	81	2	304.30
190109	283	685	32160	174	2	582.60
190129	564	2658	83760	216	2	1,161.60
190133	1815	4419	104160	176	2	1,305.60
190143	8570	941	94840	201	2	1,249.90
PAST DUE AMOUNTS						TOTAL AMOUNT DUE
10 DAYS AND OVER		10 DAYS	30 DAYS	CURRENT		
CONTINUED ON NEXT SHEET						

TERMS: ALL ACCOUNTS DUE 10 DAYS AFTER DATE OF MAILING. A FINANCE CHARGE OF 1% PER MONTH (12% ANNUAL RATE) WILL BE APPLIED TO ALL PAST DUE ACCOUNTS. PURCHASER AGREES TO PAY A REASONABLE ATTORNEY OR COLLECTION FEE IN CASE OF FORCED COLLECTION WITH OR WITHOUT SUIT.

STATEMENT

RAFT RIVER RURAL ELECTRIC COOP., INC.

P.O. BOX 617 PHONE 645-2211
MALTA, IDAHO 83342

DATE 10/31/81 ACCOUNT NO 150923

- BILLING CODES**
- 1 RESIDENTIAL
 - 2 SMALL COMMERCIAL
 - 3 STOCK PUMPS
 - 4 PUBLIC BLDGS.
 - 5 IRRIGATION POWER
 - 6 LARGE POWER
 - 7 INTEREST
 - 8 NOTES RECEIVABLE
 - 9 OTHER RECEIVABLES
 - 0 PAYMENTS
 - 1 ADJUSTMENTS
 - 2 SALES TAX

NORMAN BROS.
SUBLETT ROUTE
MALTA ID 83342

SERVICE OR REFERENCE NO.	METER READING		KWH USED	DEMAND	BILLING CODE	AMOUNT
	PREVIOUS	PRESENT				
		BALANCE FORWARD				
011370		3406	8320		6	25,574.70
011370	3198	4354	2800		9	78.41
019079	4284	4238			1	2.35
019080	4238	4135	66520		1	149.44
019086	2472	9255	4720		1	55.60
019087	9137	1969	22120		1	8.00
019087	1416	2366	5120		2	905.20
019099	2302	8941	51240		2	200.20
190100	7660	9877	20320		2	345.70
190109	9369	1605	68040		2	63.20
190129	9904	7344	82640		2	848.40
190133	6311	1165	99120		2	464.20
190143	9926	2759	39000		2	977.40
190151	1784				2	1,172.90
190152					2	1,312.20
190153					2	588.00
						TOTAL AMOUNT DUE

TERMS: ALL ACCOUNTS DUE 15 DAYS AFTER DATE OF MAILING. A FINANCE CHARGE OF 1 1/2% PER MONTH (18% ANNUAL RATE) WILL BE APPLIED TO ALL PAST DUE ACCOUNTS. PURCHASER AGREES TO PAY A REASONABLE ATTORNEY OR COLLECTION FEE IN CASE OF FORCED COLLECTION WITH OR WITHOUT SUIT.

CONTINUED ON NEXT SHEET

MTRSHW

SERVICE FILE

SERV # CUST #
190129 021640 NORMAN, NEWELL/LINDA

MULT TAX STATE BCD SOR MINCO LINE DP
00040 0 I 2 3 53 S40 I

KW HP CONT MIN DIGS ANNL ALL YR SERIAL AVG KWH
216 250.0 275.00 5 0 0 78-831-520 0

NORMAN, NEWELL/LINDA

CUST	DATE	PREV	PRES	KWH	DEMAND	AMOUNT
150061	86/06	9950	2443	99320	218.00	2640.40
150061	86/07	2443	5936	139720	218.00	3448.40
150061	86/08		119	28800	212.00	1212.00
150061	87/03	119	119	600		12.00
80330	88/02			720		15.41

RECEIVED

FEB 10 1992

Department of Water Resources
Southern Region Office

MICROFILMED

MAR 05 1993

98828

190127

Form C-153-1
Page 1

AGREEMENT FOR PURCHASE OF POWER

THIS AGREEMENT, Made this 28th day of July, 1970, between
the Raft River Rural Electric Cooperative, Inc., hereinafter called the Seller, and
Robert J. Cummings hereinafter called the Consumer.

WITNESSETH, WHEREAS the Consumer is the owner of the following described
real estate in the County of Cassia, State of Idaho
particularly described as follows, to-wit: N¹/₂

Section 27, Township 13 South, Range 27,
East, of the Boise Meridian. And has a well on the NE¹/₄ NE¹/₄
of Section 27 of the said real estate and desires to irrigate the irrigable
portion of said real estate by pumping water from such well or wells.

NOW, THEREFORE, THE SELLER agrees to sell and deliver to the Consumer on
the above described real estate, electrical energy up to 250HP KVA, and the
Consumer agrees to purchase from the Seller all electrical energy used for pumping
water from the well or wells upon said premises for irrigation purposes during the
irrigation season of each year for a period of not less than eight years from
the date of this contract.

1. Service Characteristics

The electrical energy to be furnished under this contract shall be alter-
nating current, three phase, sixty cycle, 440 volts.

2. Payment

The Consumer shall pay to the Seller for the electrical energy furnished
at the rates and upon the terms and conditions set forth in Schedule IP-2 which
is hereto attached and by reference made a part of this contract,

In the event that the Consumer uses no electrical energy upon the said
premises or the amount of electrical energy used by the Consumer during any irrigation
season at the purchase price or prices shown on Schedule IP-2 shall not equal
\$ 480.00 to be paid during any irrigation season, then the Consumer agrees
to pay to the Seller a minimum charge of \$ 480.00 for the irrigation season
of any year during the life of this contract. The said minimum charge to be paid on
or before the 1st of November of the year in which no electrical energy is used for
pumping water for irrigation purposes or the amount used did not equal said minimum
charge.

Bills for electrical energy furnished under this contract shall be paid by
the Consumer to the Seller at its office at Malta, Idaho, monthly within fifteen days

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FEB 10 1992

Department of Water Resources
Southern Region Office

MICROFILMED

MAR 05 1993

after the bill is mailed to the Consumer. If the Consumer shall fail to pay any such bill within such fifteen day period, the Seller may discontinue the service hereunder, by giving to the Consumer ten days notice in writing of its intention to do so.

3. The Consumer agrees that if at any time the rate under which the Seller purchases electrical energy at wholesale is modified, the Seller may make a corresponding modification in the rates for electrical energy furnished hereunder. If the rate to the Consumer be increased by such modification, the Consumer shall have the right to cancel this contract unless the Seller shall elect to furnish the electrical energy at the rates specified in Schedule IP-2 herein before referred to.

4. Continuity of Service

The Seller shall use reasonable diligent to provide a constant and uninterrupted supply of electrical energy. But if such supply shall fail, or be interrupted, or become defective, through the act of God, public enemy, by accident, strikes, labor troubles or the burning out of any transformer, generator, or other electrical equipment or for any other cause beyond the reasonable control of the Seller, the Seller shall not be liable to the Consumer for any damage that he may sustain by reason of such interruption in service.

5. Membership

The Consumer shall be core a member of the Seller, shall pay the membership fee and be bound by the provisions of the Articles of Incorporation and provisions of the By-Laws of the Seller and by such rules and regulations, as may from time to time be adopted by the Seller.

6. Term

This agreement shall become effective on the date of its execution and shall remain in effect for a period of eight years and thereafter until terminated by either party giving to the other four month's notice in writing of its or his desire to terminate the same.

7. This contract shall be and constitute a covenant running with the above described real estate and shall be binding upon and enure to the benefit of the successors, assigns or legal representatives of the respective parties hereto. Any assignee, grantee or successor in interest of the Consumer shall be required to comply with the terms and conditions of this contract and make the payments as specified and provided herein, not theretofore made by the Consumer.

IN WITNESS WHEREOF, The Seller has caused its Corporate name to be hereunto subscribed by its manager, and the Consumer has hereunto set his hand and seal and executed these presents in triplicate the day and year first above written.

MICROFILMED

MAR 6 5 1993

98828

Form C-153-1
Page 3State of Idaho)
County of Cassia) SSI hereby certify that the within instrument was
filed at the request of Edwin C. SchlenderOn July 28, 1970At Malta, M. andRecorded on Film 98828By Frank B. Kearns, RecorderBy Gene Baxter, Deputy

1500 R.R. RKE

By Roger L. Cummings
(Consumer)By _____
RAFT RIVER RURAL ELECTRIC COOPERATIVE, INC.By Edwin C. Schlender
(Manager)STATE OF IDAHO)
County of Cassia) ss

On this 28th day of July, 1970, before me, the undersigned,
a Notary Public in and for said State, personally appeared _____
Edwin C. Schlender, known to me to be the Manager of the Raft River
Rural Electric Cooperative, Inc., the corporation whose name is subscribed
to the within instrument, and acknowledge to me that such corporation
executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official
seal, the day and year in this certificate first above written.

Gene Baxter
Notary Public for the State of Idaho,
residing at Malta, Idaho.
My Commission Expires 5/3/71

STATE OF IDAHO)
County of Cassia) ss

On this 28th day of July, 1970, before me, the under-
signed, a Notary Public in and for said State, personally appeared _____
Roger L. Cummings, known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me that he executed
the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official
seal the day and year in this certificate first above written.

Gene Baxter
Notary Public for the State of Idaho
residing in Malta, Idaho
My Commission Expires 5/3/71

MICROFILM

MAR 25 1971

STATEMENT

RAFT RIVER RURAL ELECTRIC COOP., INC.

P. O. BOX 617

PHONE 645-2211

MALTA, IDAHO 83342

ROGER CUMMINGS
CUMMINGS BRQS
1374 FRANKLIN
OGDEN UT 84400

DATE	ACCOUNT NO.
9 30 75	030777

BILLING CODES

- | | | |
|---------------------|---------------------|----------------------|
| 1. RESIDENTIAL | 2. IRRIGATION POWER | 6. OTHER RECEIVABLES |
| 3. SMALL COMMERCIAL | 3. LARGE POWER | 7. PAYMENTS |
| 4. STOCK PUMPS | 4. INTEREST | 8. ADJUSTMENTS |
| 5. PUBLIC BLDGS. | 5. NOTES RECEIVABLE | 9. SALES TAX |

STATEMENT DUE UPON RECEIPT - DELINQUENT AFTER 15th OF MONTH.

INDICATES ESTIMATED
METER READING

SERVICE OR REFERENCE NO.	METER READING		KWH USED	DEMAND	BILLING CODE	AMOUNT
	PREVIOUS	PRESENT				
8 31 75			BALANCE FORWARD			1,020.66
093075					17	67.62CR
001606	55350	56350	1,000		1 1	15.75
190129	6234	6241	280	200	2	2.38
001116					6	70.41
009917					6	392.19
009917					6	7.50
009865					6	254.36
009865					6	142.50
009864					6	132.68
009638					6	18.79
001116					9	2.11
009917					9	11.77
009865					9	7.63
009864					9	0.98
90 DAYS AND OVER						0.00
60 DAYS						691.73
30 DAYS						261.31
CURRENT						1,062.01
TOTAL PAYMENT DUE						2,015.05

MICROFILMED

MAR 8 3 1976

RAFT RIVER RURAL ELECTRIC COOP., INC.
P. O. BOX 417

PHONE 645-2211

MALTA, IDAHO 83342

ROGER CUMMINGS
CUMMINGS BROS
1374 FRANKLIN
OGDEN UT 84400

DATE	ACCOUNT NO
7 31 73	030777

1. RESIDENTIAL	2. IRRIGATION POWER	6. OTHER RECEIVABLES
SMALL COMMERCIAL	3. LARGE POWER	7. PAYMENTS
STOCK PUMPS	4. INTEREST	8. ADJUSTMENTS
PUBLIC BLOGS.	5. NOTES RECEIVABLE	9. SALES TAX

STATEMENT DUE UPON RECEIPT - DELINQUENT AFTER 15th OF MONTH.

INDICATES ESTIMATED
METER READING

SERVICE OR REFERENCE NO.	METER READING		KWH USED	DEMAND	BILLING CODE	AMOUNT
	PREVIOUS	PRESNT				
6 30 75						
073175						
001606	52650	53850	1,200		17	703.19
190129	2515	5525	120,400	200	1 1 2	703.19CR 17.53 741.00
BALANCE FORWARD						
						
90 DAYS AND OVER 00 60 DAYS 00 30 DAYS 00 CURRENT 759.39						759.35

RAFT RIVER RURAL ELECTRIC COOP., INC.

P. O. BOX 617
MALTA, IDAHO 83342

PHONE 645-2211

ROGER CUMMINGS
CUMMINGS BROS
1374 FRANKLIN
OGDEN UT 84400

STATEMENT

DATE 11 30 74 ACCOUNT 030777

1. RESIDENTIAL
SMALL COMMERCIAL
STOCK PUMPS
PUBLIC BLDGS.
2. IRRIGATION POWER
3. LARGE POWER
4. INTEREST
5. NOTES RECEIVABLE
6. OTHER RECEIVABLE
7. PAYMENTS
8. ADJUSTMENTS
9. SALES TAX

STATEMENT DUE UPON RECEIPT - DELINQUENT AFTER 15th OF MONTH.

INDICATES ESTIMATED
METER READING

SERVICE OR REFERENCE NO.	METER READING		KWH USED	DEMAND	BILLING CODE	AMOUNT
	PREVIOUS	PRESENT				
10 31 74 001606 190154 190129	34700 19 133	40700 19 137	BALANCE FORWARD 6,000 80		1 1 2 2 2	2.61CR 60.75 7.50 7.50
90 DAYS AND OVER						.00
60 DAYS						.00
30 DAYS						.00
CURRENT						73.14
TOTAL AMOUNT DUE						73.14

MICROFILMED
MAR 03 1981

STATEMENT

RAFT RIVER RURAL ELECTRIC COOP., INC.

P. O. BOX 617

PHONE 645-2211

MALTA, IDAHO 83342

**ROGER CUMMINGS
CUMMINGS BROS
1374 FRANKLIN
OGDEN UT 84400**

DATE	ACCOUNT NO
10 31 74	030777

BILLING CODES

- | | | |
|---------------------|---------------------|----------------------|
| 1. RESIDENTIAL | 2. IRRIGATION POWER | 3. OTHER RECEIVABLES |
| 4. SMALL COMMERCIAL | 4. LARGE POWER | 7. PAYMENTS |
| 5. STOCK PUMPS | 4. INTEREST | 8. ADJUSTMENTS |
| 6. PUBLIC BLDGS. | 5. NOTES RECEIVABLE | 9. SALES TAX |

STATEMENT DUE UPON RECEIPT - DELINQUENT AFTER 15th OF MONTH.

↑ INDICATES ESTIMATED
METER READING

SERVICE OR REFERENCE NO.	METER READING		KWH USED	DEMAND	BILLING CODE	AMOUNT
	PREVIOUS	PRESENT				
9 30 74			BALANCE FORWARD			650.93
103174					17	16.80CR
102474					17	34.17CR
102474					67	616.76CR
001606	34450	34700	250		1 1	8.75
016040	63	75	480	70	2	4.08
<u>190129</u>	131	135	160	40	2	1.36

MICROFILM
MAR 05 1974

MICROFILMED

MAR 0 9 1975

90 DAYS AND OVER	60 DAYS	30 DAYS	CURRENT	TOTAL AMOUNT DUE
.00		.00	2.61CR	2.61CR

RAFT RIVER RURAL ELECTRIC COOP., INC.

PHONE 645-2211

MALTA, IDAHO 83342

DATE	ACCOUNT NO
7 31 74	030777

BILLING CODES

- | | | |
|------------------|---------------------|----------------------|
| 1. RESIDENTIAL | 2. IRRIGATION POWER | 6. OTHER RECEIVABLES |
| SMALL COMMERCIAL | 3. LARGE POWER | 7. PAYMENTS |
| STOCK PUMPS | 4. INTEREST | 8. ADJUSTMENTS |
| PUBLIC BLDGS. | 5. NOTES RECEIVABLE | 9. SALES TAX |

STATEMENT DUE UPON RECEIPT - DELINQUENT AFTER 15th OF MONTH.

INDICATES ESTIMATED
METER READING

SERVICE OR REFERENCE NO.	METER READING		KWH USED	DEMAND	BILLING CODE	↓	AMOUNT
	PREVIOUS	PRESENT					
6 30 74			BALANCE FORWARD				1,238.58
001606	33700	33950	250		1	1	8.75
190129	110	131	840	195	2		7.14
190154		19	760	80	2		6.46
009343					6		508.29
009343					9		15.25
							MICROFILM
PAST DUE AMOUNTS							TOTAL AMOUNT DUE
90 DAYS AND OVER	60 DAYS	30 DAYS	CURRENT				
.00		1,238.58	545.89				1,784.47

STATEMENT

RAFT RIVER RURAL ELECTRIC COOP., INC.

P. O. BOX 617

PHONE 645-2211

MALTA, IDAHO 83342

**ROGER CUMMINGS
CUMMINGS BROS
1374 FRANKLIN
OGDEN UT 84400**

DATE	ACCOUNT NO
6 30 74	030777

BILLING CODES

- | | | |
|---------------------|---------------------|----------------------|
| 1. RESIDENTIAL | 2. IRRIGATION POWER | 6. OTHER RECEIVABLES |
| 3. SMALL COMMERCIAL | 3. LARGE POWER | 7. PAYMENTS |
| 4. STOCK PUMPS | 4. INTEREST | 8. ADJUSTMENTS |
| 5. PUBLIC BLDGS. | 5. NOTES RECEIVABLE | 9. SALES TAX |

STATEMENT DUE UPON RECEIPT - DELINQUENT AFTER 15th OF MONTH.

INDICATES ESTIMATED
METER READING

SERVICE OR REFERENCE NO.	METER READING		KWH USED	DEMAND	BILLING CODE	AMOUNT
	PREVIOUS	PRESENT				
5 31 74			BALANCE FORWARD			71.25CR
001606	33450	33700	250		1 1	8.75
190129		110	4,400	221	2	37.40
008839					6	10.25
008779					6	343.27
009042					6	123.75
009148					6	5.98
008780					6	105.00
009042					6	546.50
008780					6	16.66
008856					6	16.58
008770					6	67.50
008779					9	10.30
009148					9	.18
008780					9	.50
008856					9	.50
008839					9	.31
009042					9	16.40
PAST DUE AMOUNTS						TOTAL AMOUNT DUE
90 DAYS AND OVER		60 DAYS	30 DAYS	CURRENT		

MAR 05 1975

STATEMENT

RAFT RIVER RURAL ELECTRIC COOP., INC.

P. O. BOX 617

PHONE 645-2211

MALTA, IDAHO 83342

ROGER CUMMINGS
CUMMINGS BROS
1374 FRANKLIN
OGDEN UT 84400

DATE	ACCOUNT NO.
12 31 73	030777

BILLING CODES

- | | | |
|---------------------|---------------------|----------------------|
| 1. RESIDENTIAL | 2. IRRIGATION POWER | 6. OTHER RECEIVABLES |
| 3. SMALL COMMERCIAL | 3. LARGE POWER | 7. PAYMENTS |
| 4. STOCK PUMPS | 4. INTEREST | 8. ADJUSTMENTS |
| 5. PUBLIC BLDGS. | 5. NOTES RECEIVABLE | 9. SALES TAX |

STATEMENT DUE UPON RECEIPT - DELINQUENT AFTER 15th OF MONTH.

INDICATES ESTIMATED
METER READING

SERVICE OR REFERENCE NO.	METER READING		KWH USED	DEMAND	BILLING CODE	METER READING
	PREVIOUS	PRESENT				
11 30 73 190129 001606	29540	32200	2,660		8 1	8.75 480.00 30.69
BALANCE FORWARD						
1/14/74 8.75						
MICROFIL						
90 DAYS AND OVER		60 DAYS	30 DAYS	CURRENT	TOTAL AMOUNT DUE	
.00		.00	8.75	510.69	510.69	

STATEMENT

RAFT RIVER RURAL ELECTRIC COOP., INC.

P. O. BOX 617 PHONE 643-2405
MALTA, IDAHO 83342

ROGER CUMMINGS
CUMMINGS BROS
547 NORTH 1ST EAST
TREMONTON UTAH 84337

DATE	ACCOUNT NO.
2 28 73	030777

- BILLING CODES**
- | | | |
|---------------------|---------------------|---------------------|
| 1. RESIDENTIAL | 2. IRRIGATION POWER | 6. OTHER RECEIVABLE |
| 3. SMALL COMMERCIAL | 3. LARGE POWER | 7. PAYMENTS |
| 4. STOCK PUMPS | 4. INTEREST | 8. ADJUSTMENTS |
| 5. PUBLIC BLDGS. | 5. NOTES RECEIVABLE | 9. SALES TAX |

STATEMENT DUE UPON RECEIPT - DELINQUENT AFTER 15th OF MONTH.

INDICATES ESTIMATED
METER READING

SERVICE OR REFERENCE NO.	METER READING		KWH USED	DEMAND	BILLING CODE	AMOUNT
	PREVIOUS	PRESNT				
1 31 73 021573 001606	27040	27290	BALANCE FORWARD 250		8 1 1	399.25 480.00CR 8.75 MAR 05 1973
						MICROFILMED MAR 05 1973
90 DAYS AND OVER						.00
60 DAYS						.00
30 DAYS						.00
CURRENT						72.00
TOTAL AMOUNT DUE						72.00CR

P. O. BOX 617

PHONE 645-2405

MALTA, IDAHO 83342

ROGER CUMMINGS
CUMMINGS BROS
547 NORTH 1ST EAST
TREMONTON UTAH 84337

DATE	ACCOUNT
12 31 72	030777

- | | | |
|---------------------|----------------------|---------------------|
| 1. RESIDENTIAL | 2. IRRIGATION POWER | 6. OTHER RECEIVABLE |
| 3. SMALL COMMERCIAL | 4. LARGE POWER | 7. PAYMENTS |
| 5. STOCK PUMPS | 8. INTEREST | 9. ADJUSTMENTS |
| 10. PUBLIC BLDGS. | 11. NOTES RECEIVABLE | 12. SALES TAX |

1 INDICATES ESTIMATED
METER READING

STATEMENT DUE UPON RECEIPT - DELINQUENT AFTER 15th OF MONTH.

STATEMENT DUE UPON RECEIPT - DELINQUENT AFTER 15th OF MONTH.						INDICATES ESTIMATED METER READING	
SERVICE OR REFERENCE NO.	METER READING		WATER USED	DEMAND	WATER COST	AMOUNT	
11 30 72 190129 001606	26790	26790	BALANCE FORWARD		81	93.25CR 480.00 3.75	
						MICROFILM MAR 10 1973	
90 DAYS AND OVER		60 DAYS	30 DAYS	CURRENT			
.00		.00	.00	390.50	390.50		

RAFT RIVER RURAL ELECTRIC COOP., INC.

P. O. BOX 617

PHONE 645-2405

MALTA, IDAHO 83342

ROGER CUMMINGS
CUMMINGS BROS
547 NORTH 1ST EAST
TREMONTON UTAH 84337

12 31 71

030777

1. RESIDENTIAL
SMALL COMMERCIAL
STOCK PUMPS
PUBLIC BIDS.

2. IRRIGATION POWER
3. LARGE POWER
4. INTEREST
5. NOTES RECEIVABLE

6. OTHER RECEIVABLE
7. PAYMENTS
8. ADJUSTMENTS
9. SALES TAX

STATEMENT DUE UPON RECEIPT - DELINQUENT AFTER 15th OF MONTH.

↑ INDICATES ESTIMATED
METER READING

DATE	DEBIT	CREDIT	DEBIT	CREDIT	AMOUNT
11-30-71					
190129					3.75
001606	22480	24160	11680		480.00 *
					43.95
<i>* Contract Minimum Irrigation Pump</i> <i>W. H. Woodward</i> MICROFILMED <i>1986 02 003</i>					
90 DAYS AND OVER	90 DAYS	90 DAYS	CURRENT		
.00	.00	3.75	523.95		527.70

Water Right Number - A43-10539

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

*** C - CURRENT OWNER ***
NORMAN BROTHERS

1 - 8400 WEST 3255 NORTH
2 -
3 -
City - CORRIE
Phone - 801-863-6264

State- UT Zip- 84397 84307

Priority Date - 10/14/1956

Region - 17 SOUTHERN

Stage - J - BENEFICIAL USE

Status -

Source - GROUNDWATER

Tributary -

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Stream Index (Blank if no Index Code)
13S	27E	27	NE NE			(31) CASSIA		

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15		1.220	

Total Div. Rate - 1.220 + Total Div. Volume - + Total Div. Capacity - + Total Consumptive Use - + KW Usage - +
357.0

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
13S	27E	27	NE NE		12.7		01	IRRIGATION	(31) CASSIA
13S	27E	27	NW NE		12.7		01	IRRIGATION	(31) CASSIA
13S	27E	27	SW NE		12.7		01	IRRIGATION	(31) CASSIA
13S	27E	27	SE NE		12.7		01	IRRIGATION	(31) CASSIA
13S	27E	27	NE NW		12.7		01	IRRIGATION	(31) CASSIA
13S	27E	27	NW NW		12.7		01	IRRIGATION	(31) CASSIA
13S	27E	27	SW NW		12.7		01	IRRIGATION	(31) CASSIA
13S	27E	27	SE NW		12.7		01	IRRIGATION	(31) CASSIA

Total Acres: 101.6

- - - Diversion Means - DRILLED WELL, VERTICLE TURBINE PUMP, SPRINKLERS

- - - Non-Irrigation Use -

- - - Other Rights for Same Use - NONE

Remarks -

THIS WATER IS PART OF A RIGHT CONVEYED TO NORMAN BROTHERS BY SALE OF LAND IN 1980. THE WATER WAS USED ON THESE AND OTHER LANDS CONTINUOUSLY FROM 1950 THROUGH THE 1983 IRRIGATION SEASON. THE INTENT HAS BEEN TO CONTINUE USING THE WATER ON THESE LANDS BUT

Department of Water Resources
Southern Region Office

FEB 10 1992

RECEIVED

MICROFILMED
MAR 05 1993

Water right number - A43-10539

Prefix Translation: ADJUDICATION CLAIM

APPLICANT WAS PROHIBITED BY IDWR. THE USE OF WATER ON THESE LAND
S FALLS WITHIN THE INTENT OF HB 285 AND SHOULD BE ALLOWED.

No Old Water Right Numbers found.

No Conditions of Approval found.

Decree Plaintiff - - - +

Decree Defendant - - - +

Decree Date - +
00/00/0000

Audit Fields - 06/20/89 BAUMHOFF

Comments -
No Comments Found

Adjudication Rights Dates and Flags Area

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	- 00/00/0000	Old Judicial District	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Temporary Right	- P
Claim Received Date	- 05/23/1989	Last Amended Date	- 00/00/0000	Water District	-
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Federal/State Indicator	- S
Licensed Date	- 00/00/0000	Receipt Number	- C007009	Presumption Flag	- E
Claims Tape Error Flag	-	POU Ownership Flag	- Y	Notice of Error Flag	-
Fee Exempt Flag	-	Name Connector	-		

MICROFILMED

MAR 05 1993

Water Right Number - A43-10541

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

*** C - CURRENT OWNER ***
NORMAN BROTHERS

1 - 8400 WEST 3255 NORTH
2 -
3 -
City- CORRIE
Phone - 801-863-6264

State- UT Zip- 84397 84307

Priority Date - 10/14/1956

Region - 17 SOUTHERN

Stage - J - BENEFICIAL USE

Status -

Source - GROUNDWATER

Tributary -

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Stream Index (Blank if no Index Code)
13S	27E	27	NE NE			(31) CASSIA		

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15		0.620	

Total Div. Rate - 0.620 + Total Div. Volume - 0.620 + Total Div. Capacity - 0.620 + Total Consumptive Use - 182.0 + KW Usage -

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
13S	27E	27	NE NE		6.5		01	IRRIGATION	(31) CASSIA
13S	27E	27	NW NE		6.5		01	IRRIGATION	(31) CASSIA
13S	27E	27	SE NE		6.5		01	IRRIGATION	(31) CASSIA
13S	27E	27	NE NW		6.5		01	IRRIGATION	(31) CASSIA
13S	27E	27	NW NW		6.5		01	IRRIGATION	(31) CASSIA
13S	27E	27	SE NW		6.5		01	IRRIGATION	(31) CASSIA

Total Acres: 52.0

- Diversion Means - DRILLED WELL, VERTICLE TURBINE PUMP, SPRINKLERS

- Non-Irrigation Use -

- Other Rights for Same Use - NONE

REMARKS
WATER CLAIMED IS FROM WATER SAVINGS ACHIEVED BY INCREASING THE
EFFICIENCY OF WATER GRANTED UNDER 43-02450B. THE DIVERSION RATE
HAS NOT BEEN INCREASED FROM THAT PREVIOUSLY ALLOWED.

MICROFILMED
MAR 05 1993

Water right number - A43-10541

Prefix Translation: ADJUDICATION CLAIM

+ - - - - - Old Water Right Numbers - - - - - +

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - +
+ - Decree Date - +
00/00/0000

+ - - Audit Fields - 06/20/89 BAUMHOFF

+ - - - - - Comments - - - - - +
No Comments Found

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 05/23/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- C007009	Federal/State Indicator	- S
Claims Tape Error Flag	-	POU Ownership Flag	- Y	Presumption Flag	- E
Fee Exempt Flag	-	Name Connector	-	Notice of Error Flag	-

MICROFILMED
MAR 05 1993

VERIFIED BY 7/10/01
07/10/2001

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-10539

NAME AND ADDRESS: NORMAN BROTHERS
8400 WEST 3255 NORTH
CORRINE, UT 84307

SOURCE: GROUND WATER

QUANTITY: 0.67 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.52 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 304 AF. COMBINED RIGHT NOS.: 43-
02450D, 43-10539, & 43-10541.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3.61 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 738 AF. COMBINED RIGHT NOS.: 43-
2447B, 43-2448B, 43-2450D, 43-10539, & 43-10541.

PRIORITY DATE: 06/30/1985

POINT OF DIVERSION: T13S R27E S27 SENENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	0.67 CFS

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T13S R27E S27	NENE	33	T13S R27E S27	NWNE	33
T13S R27E S27	SWNE	33	T13S R27E S27	SENE	33
T13S R27E S27	NENW	33	T13S R27E S27	NWNW	33
T13S R27E S27	SWNW	33	T13S R27E S27	SENW	33

264 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 101.6 ACRES
WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 229.6 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 43-02450D, 43-10539, & 43-10541.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 264 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 43-2447B, 43-2448B, 43-2450D, 43-
10539, & 43-10541.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

A TOTALIZING MEASURING DEVICE OF A TYPE APPROVED BY IDWR
SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

RIGHTS 43-10539 & 43-10541 ARE EXPANSIONS OF RIGHT NO. 43-
02450D PURSUANT TO SECTION 42-1416B, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

43-02447B, 43-02448B, 43-02450D, 43-10539, & 43-10541



0 1320 2640 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON JULY 10, 2001
TWP 13S, RNG 27E, SEC. 27



- Point of diversion
- Place of use
- Quarter-quarter lines
- Section lines

Gis Place of Use Presentation
1987/1988 Napp Photography
Prepared by Jeanie Robertson

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 66918

Southern
RECEIVED
MAY 10 2001
Department of Water Resources
Southern Region

This is to certify that: PETER J GRUSH &/OR
SYLVIA T GRUSH
2025 S HWY 81
MALTA ID 83342
(208)645-2361

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document. The right holder shall accomplish the authorized change within one (1) year of the date of this approval. Failure of the right holder to comply with the conditions of approval for each water right affected by this transfer is cause for the Director to rescind approval of all or part of the transfer.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
43-2447	AJC/License	07/26/1956	6.4 cfs	1280 af	320.0	640.0	GROUND WATER
43-2448	AJC/License	07/26/1956	6.32 cfs	1280 af	320.0	640.0	GROUND WATER
43-2450D	AJC/License	10/14/1956	1.52 cfs	266 af	76.0	229.6	GROUND WATER
43-10539	AJC/Beneficial Use	06/30/1985	0.672 cfs		101.6	229.6	GROUND WATER
43-10541	AJC/Beneficial Use	06/30/1985	0.344 cfs		52.0	229.6	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
43-2447	YES	YES	YES	NO	NO	NO
43-2448	YES	YES	YES	NO	NO	NO
43-2450D	NO	NO	YES	NO	NO	NO
43-10539	NO	NO	YES	NO	NO	NO
43-10541	NO	NO	YES	NO	NO	NO

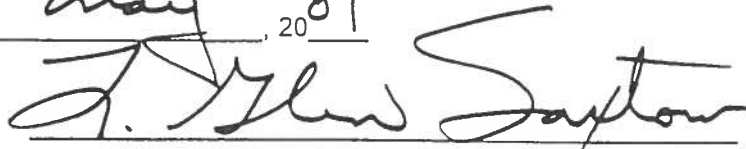
Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
43-2447	43-2447B	1.12 cfs	224 af	56.0	264.0	43-2447A	5.28 cfs	1056 af	264.0	528.0
43-2448	43-2448B	1.11 cfs	224 af	56.0	264.0	43-2448A	5.21 cfs	1056 af	264.0	528.0
43-2450D	43-2450D	1.52 cfs	304 af	76.0	264.0		N/A	N/A	N/A	N/A
43-10539	43-10539	0.67 cfs		101.6	264.0		N/A	N/A	N/A	N/A
43-10541	43-10541	0.34 cfs		52.0	264.0		N/A	N/A	N/A	N/A
TOTALS		3.61 cfs	738 af	264.0	264.0		N/A	N/A	N/A	N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 66918

Detailed Water Right Description(s) attached

Dated this 7th day of May, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-2447A
As Modified by Transfer No. 66918

In accordance with the approval of Transfer No. 66918, Water Right No. 43-2447A is now described as follows.

Right Holder: JOSEPH HILL
 290 NORTH ANGEL
 KAYSVILLE UT 83350

Priority Date: 07/26/1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	5.28 CFS	1,056.0 AF

5.28 CFS 1,056.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESW Sec. 15 Twp 13S Rge 27E CASSIA County

GROUND WATER NWSW Sec. 14 Twp 13S Rge 27E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	27E	15	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0

Total Acres: 528

CONDITIONS OF APPROVAL

1. Right 43-2447A is limited to the irrigation of 264.0 acres within the place of use described above in a single irrigation season.
2. Rights 43-2447A and 43-2448A when combined shall not exceed a total diversion rate of 9.86 cfs, a total annual maximum diversion volume of 2046.0 af at the field headgate, and the irrigation of 511.5 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

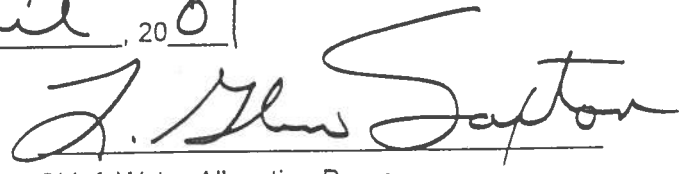
WATER RIGHT NO. 43-2447A
As Modified by Transfer No. 66918

CONDITIONS OF APPROVAL

4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
5. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 7th day of April, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-2447B
As Modified by Transfer No. 66918

In accordance with the approval of Transfer No. 66918, Water Right No. 43-2447B is now described as follows.

Right Holder: JOSEPH HILL
 290 NORTH ANGEL
 KAYSVILLE UT 83350

Priority Date: 07/26/1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	1.12 CFS	224.0 AF
			1.12 CFS	224.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENENE Sec. 27 Twp 13S Rge 27E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	27E	27	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0									264.0

Total Acres: 264

CONDITIONS OF APPROVAL

- Right 43-2447B is limited to the irrigation of 56.0 acres within the place of use described above in a single irrigation season.
- Rights 43-2447B and 43-2448B when combined shall not exceed a total diversion rate of 2.09 cfs, a total annual maximum diversion volume of 434.0 af at the field headgate, and the irrigation of 108.5 acres.
- Rights 43-2447B, 43-2448B, 43-2450D, 43-10539 and 43-10541 when combined shall not exceed a total diversion rate of 3.61 cfs, a total annual maximum diversion volume of 738.0 af at the field headgate, and the irrigation of 264.0 acres.
- The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.
- After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
- This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

WATER RIGHT NO. 43-2447B

As Modified by Transfer No. 66918

CONDITIONS OF APPROVAL

7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 7th day of May, 2001



Chief, Water Allocation Bureau

WATER RIGHT NO. 43-2448A
As Modified by Transfer No. 66918

In accordance with the approval of Transfer No. 66918, Water Right No. 43-2448A is now described as follows.

Right Holder: JOSEPH HILL
 290 NORTH ANGEL
 KAYSVILLE UT 83350

Priority Date: 07/26/1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	5.21 CFS	1,056.0 AF
			5.21 CFS	1,056.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSW Sec. 14 Twp 13S Rge 27E CASSIA County

GROUND WATER NESW Sec. 15 Twp 13S Rge 27E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S 27E 15	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0

Total Acres: 528

CONDITIONS OF APPROVAL

1. Right 43-2448A is limited to the irrigation of 264.0 acres within the place of use described above in a single irrigation season.
2. Rights 43-2447A and 43-2448A when combined shall not exceed a total diversion rate of 9.86 cfs, a total annual maximum diversion volume of 2046.0 af at the field headgate, and the irrigation of 511.5 acres.
3. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 11/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

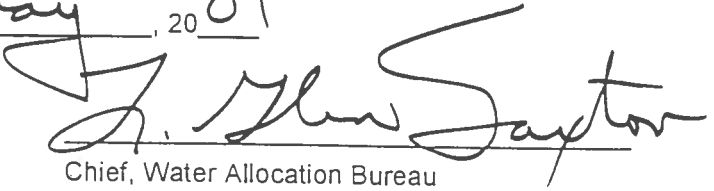
WATER RIGHT NO. 43-2448A
As Modified by Transfer No. 66918

CONDITIONS OF APPROVAL

5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 7th day of May, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-2448B
As Modified by Transfer No. 66918

In accordance with the approval of Transfer No. 66918, Water Right No. 43-2448B is now described as follows.

Right Holder: JOSEPH HILL
 290 NORTH ANGEL
 KAYSVILLE UT 83350

Priority Date: 07/26/1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	1.11 CFS	224.0 AF
			1.11 CFS	224.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENENE Sec. 27 Twp 13S Rge 27E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	27E	27	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0									264.0

Total Acres: 264

CONDITIONS OF APPROVAL

- Right 43-2448B is limited to the irrigation of 56.0 acres within the place of use described above in a single irrigation season.
- Rights 43-2447B and 43-2448B when combined shall not exceed a total diversion rate of 2.09 cfs, a total annual maximum diversion volume of 434.0 af at the field headgate, and the irrigation of 108.5 acres.
- Rights 43-2447B, 43-2448B, 43-2450D, 43-10539 and 43-10541 when combined shall not exceed a total diversion rate of 3.61 cfs, a total annual maximum diversion volume of 738.0 af at the field headgate, and the irrigation of 264.0 acres.
- The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.
- After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

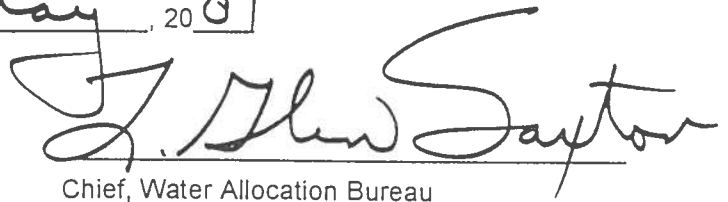
WATER RIGHT NO. 43-2448B
As Modified by Transfer No. 66918

CONDITIONS OF APPROVAL

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 11/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 7th day of May, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-2450D
As Modified by Transfer No. 66918

In accordance with the approval of Transfer No. 66918, Water Right No. 43-2450D is now described as follows.

Right Holder: NORMAN BROTHERS
 8400 WEST 3255 NORTH
 CORRINE UT 84307

Priority Date: 10/14/1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to 11/15	1.52 CFS	304.0 AF
		1.52 CFS	304.0 AF
		1.52 CFS	304.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENENE Sec. 27 Twp 13S Rge 27E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
13S	27E	27	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0									264.0

Total Acres: 264

CONDITIONS OF APPROVAL

1. Right 43-2450D is limited to the irrigation of 76.0 acres within the place of use described above in a single irrigation season.
2. Rights 43-2450D, 43-10539 and 43-10541 when combined shall not exceed a total diversion rate of 1.52 cfs, a total annual maximum diversion volume of 304.0 af at the field headgate, and the irrigation of 229.6 acres.
3. Rights 43-10539 and 43-10541 are expansions of Right 43-2450D pursuant to Section 42-1416B, Idaho Code.
4. Rights 43-2447B, 43-2448B, 43-2450D, 43-10539 and 43-10541 when combined shall not exceed a total diversion rate of 3.61 cfs, a total annual maximum diversion volume of 738.0 af at the field headgate, and the irrigation of 264.0 acres.
5. The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.

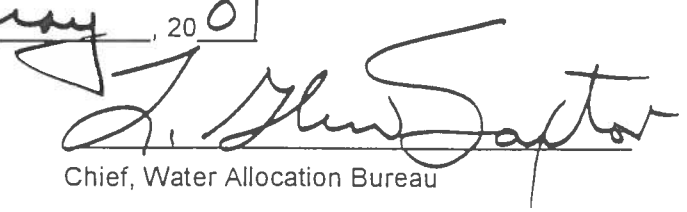
WATER RIGHT NO. 43-2450D
As Modified by Transfer No. 66918

CONDITIONS OF APPROVAL

6. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 7th day of May, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-10539
As Modified by Transfer No. 66918

In accordance with the approval of Transfer No. 66918, Water Right No. 43-10539 is now described as follows.

Right Holder: NORMAN BROTHERS
8400 WEST 3255 NORTH
CORRINE UT 84307

Priority Date: 10/14/1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.67 CFS	
			0.67 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENENE Sec. 27 Twp 13S Rge 27E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S 27E 27	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0									264.0

Total Acres: 264

CONDITIONS OF APPROVAL

1. Right 43-10539 is limited to the irrigation of 101.6 acres within the place of use described above in a single irrigation season.
2. Rights 43-2450D, 43-10539 and 43-10541 when combined shall not exceed a total diversion rate of 1.52 cfs, a total annual maximum diversion volume of 304.0 af at the field headgate, and the irrigation of 229.6 acres.
3. Rights 43-10539 & 43-10541 are expansions of Right 43-2450D pursuant to Section 42-1416B, Idaho Code.
4. Rights 43-2447B, 43-2448B, 43-2450D, 43-10539 and 43-10541 when combined shall not exceed a total diversion rate of 3.61 cfs, a total annual maximum diversion volume of 738.0 af at the field headgate, and the irrigation of 264.0 acres.
5. The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.

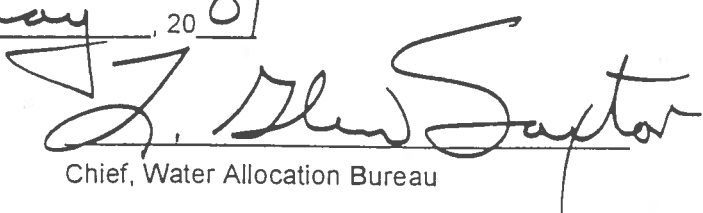
WATER RIGHT NO. 43-10539
As Modified by Transfer No. 66918

CONDITIONS OF APPROVAL

6. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. Approval of Transfer 66918 does not confirm SRBA Claim 43-10539.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 7th day of May, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-10541
As Modified by Transfer No. 66918

In accordance with the approval of Transfer No. 66918, Water Right No. 43-10541 is now described as follows.

Right Holder: NORMAN BROTHERS
 8400 WEST 3255 NORTH
 CORRINE UT 84307

Priority Date: 10/14/1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.34 CFS	
			0.34 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENENE Sec. 27 Twp 13S Rge 27E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	27E	27	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0									264.0

Total Acres: 264

CONDITIONS OF APPROVAL

- Right 43-10541 is limited to the irrigation of 52.0 acres within the place of use described above in a single irrigation season.
- Rights 43-2450D, 43-10539 and 43-10541 when combined shall not exceed a total diversion rate of 1.52 cfs, a total annual maximum diversion volume of 304.0 af at the field headgate, and the irrigation of 229.6 acres.
- Rights 43-10539 & 43-10541 are expansions of Right 43-2450D pursuant to Section 42-1416B, Idaho Code.
- Rights 43-2447B, 43-2448B, 43-2450D, 43-10539 and 43-10541 when combined shall not exceed a total diversion rate of 3.61 cfs, a total annual maximum diversion volume of 738.0 af at the field headgate, and the irrigation of 264.0 acres.
- The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.

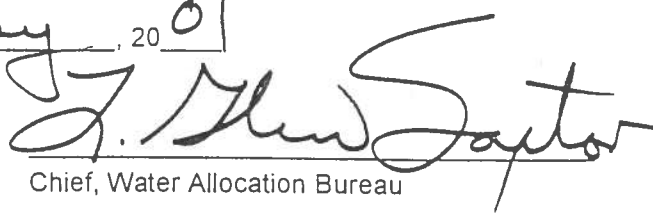
WATER RIGHT NO. 43-10541
As Modified by Transfer No. 66918

CONDITIONS OF APPROVAL

6. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. Approval of Transfer 66918 does not confirm SRBA Claim 43-10541.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 7th day of May, 2001


Chief, Water Allocation Bureau

VERIFIED BY *[Signature]* 1/02/01
01/02/2001

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-10539

NAME AND ADDRESS: NORMAN BROTHERS
8400 WEST 3255 NORTH
CORRINE, UT 84307

SOURCE: GROUND WATER

QUANTITY: 0.672 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.52 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 266 AF. COMBINED RIGHT NOS.: 43-
02450D, 43-10539, & 43-10541.

PRIORITY DATE: 06/30/1985

POINT OF DIVERSION: T13S R27E S27 SENENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	0.67 CFS

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>			
T13S R27E S27	NENE	28.7	T13S R27E S27 NWNE 28.7
T13S R27E S27	SWNE	28.7	T13S R27E S27 SENE 28.7
T13S R27E S27	NENW	28.7	T13S R27E S27 NWNW 28.7
T13S R27E S27	SWNW	28.7	T13S R27E S27 SENW 28.7

229.6 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 101.6 ACRES
WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 229.6 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 43-02450D, 43-10539, & 43-10541.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

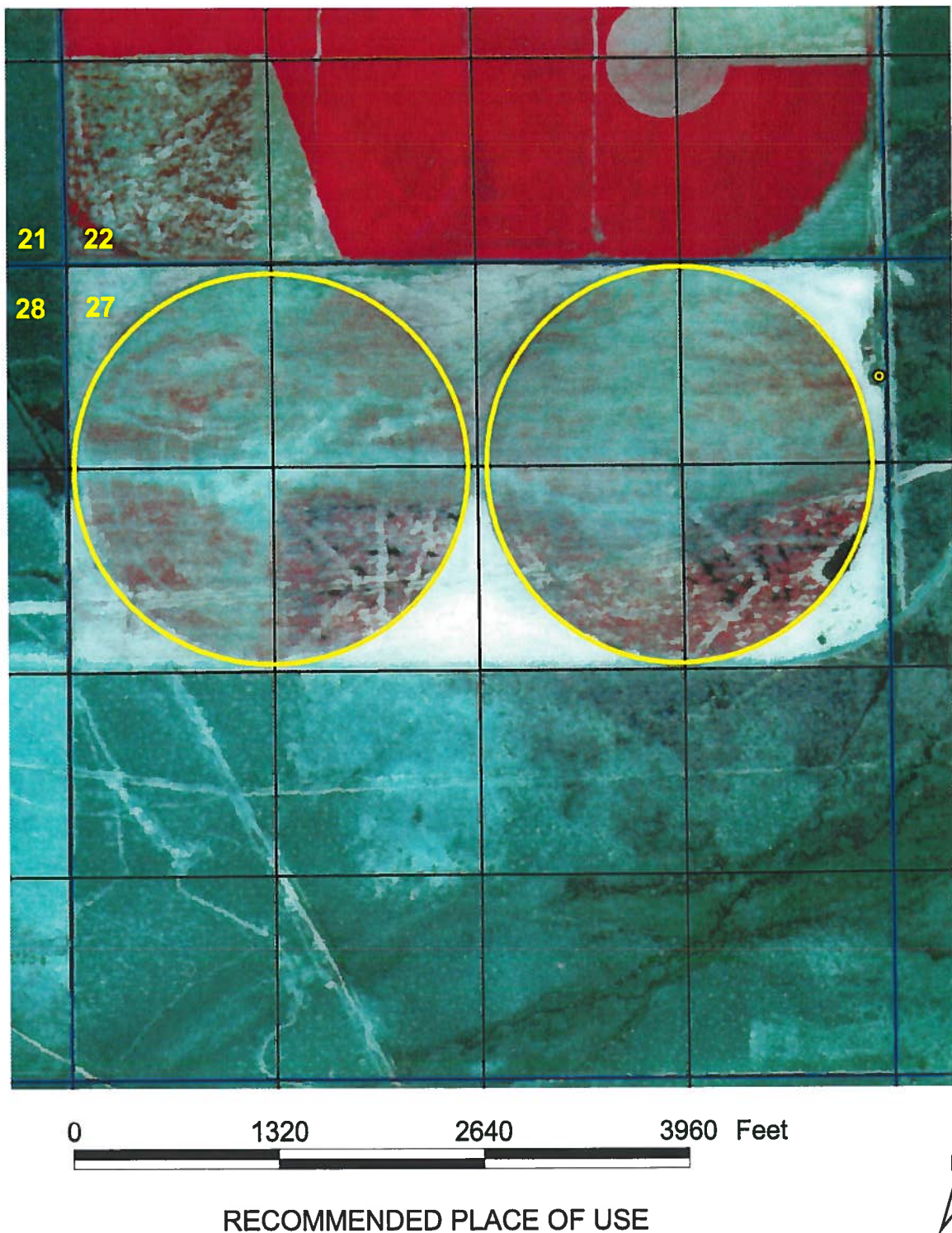
A TOTALIZING MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

THIS RIGHT IS AN EXPANSION OF RIGHT NO. 43-02450D PURSUANT TO SECTION 42-1416B, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

43-02450D, 43-10539 and 43-10541

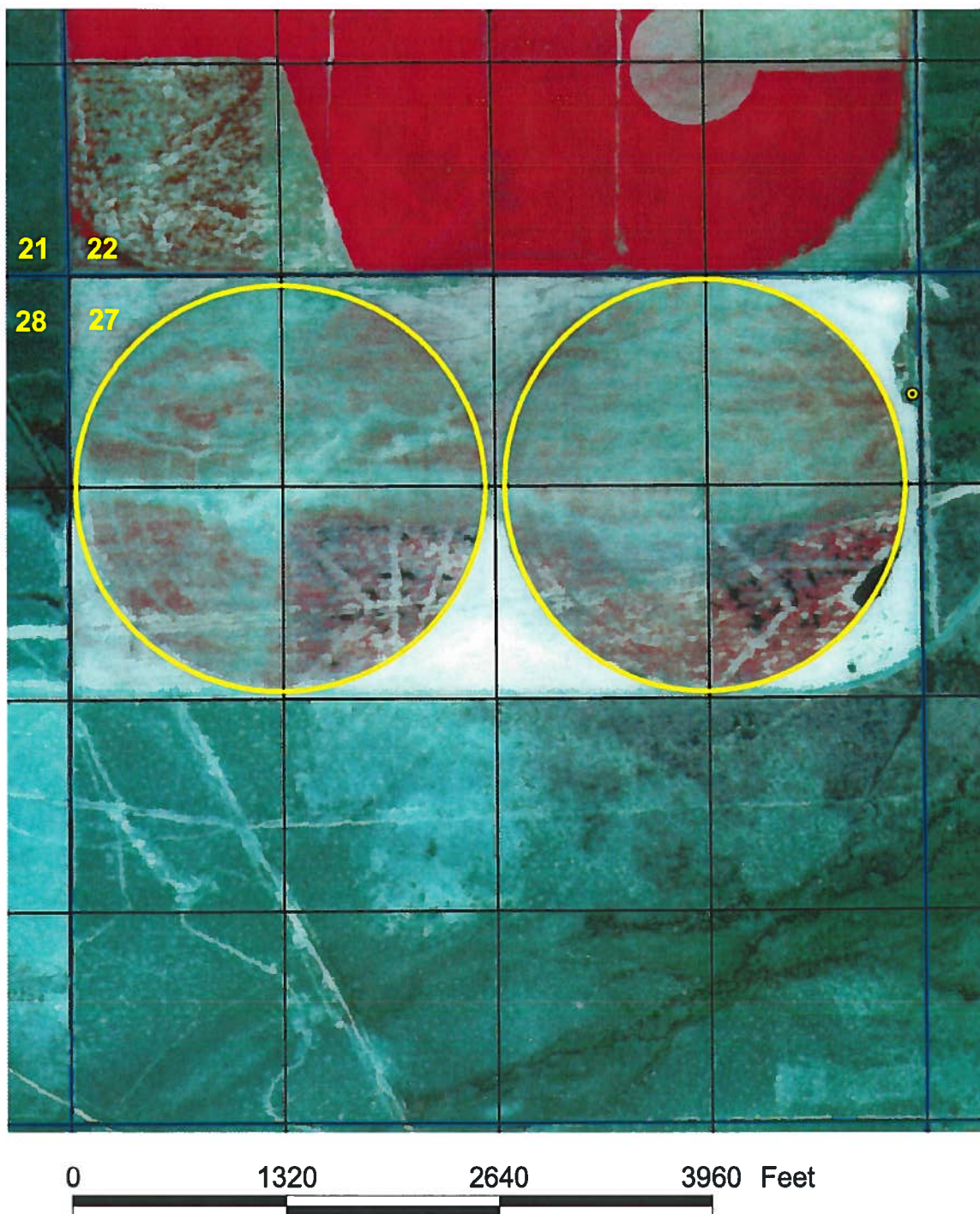


RECOMMENDED PLACE OF USE
DATA ENTRY ON FEB. 7, 2000
TWP 13S, RNG 27E, SECTION 27

- Point of diversion
- Place of use
- Quarter-quarter lines
- Section lines

Gis Place of Use Presentation
1987/1988 Napp Photography
Prepared by Jeanie Robertson

43-02450D, 43-10539 and 43-10541



RECOMMENDED PLACE OF USE
DATA ENTRY ON FEB. 7, 2000
TWP 13S, RNG 27E, SECTION 27

- Point of diversion
- Place of use
- Quarter-quarter lines
- Section lines

Gis Place of Use Presentation
1987/1988 Napp Photography
Prepared by Jeanie Robertson

DATE: 04/05/00
PAGE: 1

(REGIONAL)

DIVERSION
VOLUME

Stage: BENEFICIAL USE

CASSIA County

SE

229.6

M03 - A TOTALIZING MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL
- BE MAINTAINED AS A PART OF THE DIVERTING WORKS.

Field Inspection Flag:
Presumption Flag: E

DATE: 04/05/00
PAGE: 1

4/5/80

DIVERSION
VOLUME

Stage: BENEFICIAL USE

CASSIA County

SE

229.6

M03 - A TOTALIZING MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL
- BE MAINTAINED AS A PART OF THE DIVERTING WORKS.

Field Inspection Flag:
Presumption Flag: E

AJ0749NP
No. R43-10539

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 03/09/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	NORMAN BROTHERS	06/30/1985	IRRIGATION	03-15 11-15	0.672 CFS	117.70 AFA
					TOTAL DIVERSION:	0.672 CFS 117.70 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T13S R27E S27

SENE

CASSIA County

Place of use Legal Description for: IRRIGATION

	NE	NE	SE	SE	SE	SE	SE	SE	SUM
T R S	lt	Ac	lt	Ac	lt	Ac	lt	Ac	lt
13S 27E 27	28	28	28	28	28	28	28	28	28
									TOTAL ACRES
									229.6

POU County: CASSIA

Other Rights: 43-02450D, 43-10541

Conditions of Approval:

- C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
- DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
- ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
M03 - A TOTALIZING MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL
- BE MAINTAINED AS A PART OF THE DIVERTING WORKS.

Remarks: QNT

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 1.52 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 266 AF. COMBINED RIGHT NOS.: 43-02450D,
43-10539 AND 43-10541

POU1

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 229.6 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-02450D, 43-10539 AND 43-10541
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 101.6 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

GEN

THIS RIGHT IS AN EXPANSION OF RIGHT NO. 43-02450D PURSUANT TO
SECTION 42-1416B, IDAHO CODE.

Dates: Exam Made Date:

Verified Date: 03/09/2000 Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag: E
Presumption Flag: E

VERIFIED BY *[Signature]* 3/9/2000

TOTAL DIVERSION: 0.610 CFS

Stage: BENEFICIAL USE

CASSIA County

NE

TOTAL ACRES

Other Rights: NONE

C18

- THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
- DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
- ENTRY OF A FINAL UNIFIED DECREE, SECTION 4-2-1412(6) IDAHO CODE.
- A TOTALIZING MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL
- BE MAINTAINED AS A PART OF THE DIVERTING WORKS.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 1.52 CRS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 266 AF. COMBINED RIGHT NOS.: 43-02450D,
43-10539 AND 43-10541

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 229.6 ACRES IN A SINGLE IRRIGATION SEASON. A COMBINED RIGHT NOS.: 43-02450D, 43-10539 AND 43-10541

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 101.6 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

GEN THIS RIGHT IS AN EXPANSION OF RIGHT NO. 43-024500 PURSUANT TO
SECTION 42-1416B, IDAHO CODE.

Objection Filed Date:

Field Inspection Flag: E
Presumption Flag:

DRAFT

CLAIM NUMBER 43-02450D
43-10539
43-10541

DATE 2/7/00
AGENT [Signature]

TRANSFER NUMBER _____
CLAIMED ACRE TOTAL 229.6
GIS ACRE TOTAL 229.6

	TWP	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM	13S	27E	27	28.7	28.7	28.7	28.7	28.7	28.7	28.7	28.7								
GIS				28	29	29	28	28	29	29	29								
ECOM				28.7	28.7	28.7	28.7	28.7	28.7	28.7	28.7								
CLAIM																			
GIS																			
ECOM																			
CLAIM																			
GIS																			
ECOM																			

343-POU.SHP _____
SHAPE NOS. _____
167 _____
168 _____

43-POD.SHP _____
IOS. DESCRIPTION _____
101 _____

BF TABLES UPDATED _____
43-DBPOU.DBF ☒ _____
43-DBPOD.DBF ☒ _____
LEG LAYOUT ☒ _____

orig.	43-024500	76 Ac.	1.52 cfs
exp. #1	43-10539	101.6 Ac.	0.609 cfs (0.61)
exp. #2	43-10541	<u>52 Ac.</u>	0.312 cfs (0.31)
		229.6 Ac.	

$$1.52 \text{ cfs} / 229.6 \text{ Ac.} = .006 \text{ cfs / Ac.}$$

DIVERSION
VOLUME

0.014 CFS

Stage: BENEFICIAL USE

CASSIA County

2

TOTAL ACRES

Other Rights: NONE

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS

- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE, SECTION 4-2-14(12)(6) IDAHO CODE.
- A TOTALIZING MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED

DIVISION RATE OF 1.52 CFS AND TO A TOTAL COMBINED ANNUAL
DIVISION VOLUME OF 266 AF. COMBINED RIGHT NOS.: 43-02450D,
43-10539 AND 43-10541

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 229.6 ACRES IN A SINGLE IRRIGATION SEASON. A COMBINED RIGHT NOS.: 43-02450D, 43-10539 AND 43-10541

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 101.6 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS AN EXPANSION OF RIGHT NO. 43-02450D PURSUANT TO
SECTION 42-1416B, IDAHO CODE.

Objection Filed Date:

Field Inspection Flag: E
Presumption Flag:

DRAFT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:00:47
02/02/00

PAGE: 17
QUICKLOOK INFORMATION

35
CLAIM NUMBER: A43-10539

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y			Y				
POINT OF DIV	Y			N				
SOURCE	Y			N				
PLACE OF USE	Y			Y _{PPH}				
DIV. AMOUNT CFS/VOLUME	Y			Y				
CONSUMPTIVE USE	-			N/A				
PURPOSES OF USE	Y			N				
PERIOD OF USE	Y			N				
BASIS OF CLAIM	Y			N				
REMARKS	Y			Y				

Conditions: MØ3
C18

BARCODE UPDATED
WHOM/DATE

Remarks: QNT - E27
POU1 - KØ6, E14
GEN - KØ4

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:03:08
02/02/00
36

PAGE: 18
PROFILE REPORT

CLAIM NUMBER: A43-10539

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	NORMAN BROTHERS	10/14/1955 4/30/1985	IRRIGATION	03-15 11-15	1.228 CFS 208.672	355.6 117.7 357.00 APA
TOTAL DIVERSION:					1.228 CFS	
CONSUMPTIVE USE:					208.672	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T13S R27E S27 SE NENE

CASSIA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
13S	27E	27	12	12	12	12	12	12	12	12	12	12	12	12	12	101.6
			28.7	28.7	28.7	28.7	28.7	28.7	28.7	28.7	28.7					229.6
TOTAL ACRES																101.6

POU County: CASSIA

Other Rights: NONE

Remarks: GEN THIS WATER IS PART OF A RIGHT CONVEYED TO NORMAN BROTHERS BY SALE OF LAND IN 1980. THE WATER WAS USED ON THESE AND OTHER LANDS CONTINUOUSLY FROM 1950 THROUGH THE 1983 IRRIGATION SEASON. THE INTENT HAS BEEN TO CONTINUE USING THE WATER ON THESE LANDS BUT APPLICANT WAS PROHIBITED BY IDWR. THE USE OF WATER ON THESE LANDS FALLS WITHIN THE INTENT OF HB 285 AND SHOULD BE ALLOWED.

copy to comments

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag: E
Presumption Flag:

Cond. C18, MP3
Remarks: QNT-E27
POU1-KD6, EA
GEN-KD4

43-02450D

$$1.52 \text{ cfs} \div 229.6 \text{ Ac} \times 101.6 \text{ exp. Ac.} = .67 \text{ cfs}$$

$$266 \text{ AF} \div 229.6 \text{ Ac.} \times 101.6 \text{ exp. Ac.} = 355.6 \text{ AF}$$

$$1.52 \div 229.6 \times 101.6 = .672 \text{ cfs}$$

$$266 \div 229.6 \times 101.6 = 117.7 \text{ AF (no vol.)}$$

(more than license!)

Idaho Department of Water Resources
Adjudication Bureau

December 6, 1999

A4310539
NORMAN BROTHERS
13S27E27NENE

RECEIVED

JAN 06 2000

Department of Water Resources

Data Submission for Estimating Well Pumping Capacity

This form is for documenting historic flow rate from a well based on available information including: flow measurements, pump curves or specifications, system characteristics such as motor horsepower, depth to water, discharge pressure, and irrigation system characteristics. The department is attempting to quantify the maximum rate of flow diverted and put to beneficial use in the years prior to November 1987.

If you have any questions regarding this data request, please contact either Scott King (208) 327-7897 or Cindy Bird (208) 327-5450. You may also dial the adjudication hotline (1-800-451-4129) and ask for Scott or Cindy. If you prefer to discuss these questions with us instead of completing the form, your call is welcomed. We can also be contacted by e-mail at sking@idwr.state.id.us and cbird@idwr.state.id.us

1) Rate of Flow measurements: _____ (cfs or gpm)

Please give approximate date, person or entity performing measurement, description of measuring device and any other applicable data. Examples may include measurements made as part of an energy efficiency survey, which are often provided as a service through your electric utility.

2) Pump characteristic curves or specifications: Please include copy of pump curve, or state designed pumping capacity, rated flow and head, and approximate year of pump installation. Other helpful items may include the pump manufacturer, model number, and number of stages.

3) Pumping system characteristics:

Diversion rate can be determined by using power, pumping lift, discharge pressure, and estimated pumping efficiency. If the system has changed over time, you can provide information for several system configurations.

Year	Well pump motor horsepower	Booster pump(s) motor horsepower	Depth to water, pump off (ft)	Depth to water, pump on (ft)	Discharge pressure (psi)

4) Irrigation System:

Please provide description of the water delivery system. State number of lines and birds, nozzle size, and operating pressure(s) of impact-type sprinkler systems; designed rated flow for pivot systems. As above, if various systems have been used through the years, provide year as well. Example:

1963 to 1974 – Well pump open discharges to ditches for flood irrigation using 50 siphons per set. Siphons were 1.5 inch diameter, 5 feet long.

1975 to 1984 – Six wheel lines with 32 birds per line, 5/32 inch nozzles operating at 60 to 70 psi at the sprinklers.

1985 to present – Eight tower center pivot with impact sprinklers and end gun, no corner catcher, designed for 1150 gpm. Also solid set hand lines in corners which operate separate of the pivot, operating a total of 250 birds per set, 9/64 inch nozzles operating at 65 to 75 psi at the sprinklers.

purchased farm in approximately 1981. we put 2 valley corner low pressure pivots on. each pivots was designed to put out 1000 gal per minutes at 32 pds pressure. The systems worked well and maintained pressure until. approx 1997. when property was enrolled in the rep. layout program.

5) Other information:

Please also include any other information that you feel may indicate maximum historic diversion rate for your well.

the property was irrigated prior to our purchase. by Cummins Bros. with hand lines dating back to about 1975.

Memorandum

To: Transfer File #5498
CC: A43-02447, A43-02448, A43-02450D, A43-10539, A43-10541
From: Jeanie Robertson
Date: 02/10/00
Re: Proceeding with transfer...

I spoke with Mr. Grush today and told him of my draft recommendations for A43-10539 and A43-10541, essentially granting the acres with no additional diversion or volume amounts. I told him that, if approved, this transfer would likely allow him only 2.17 cfs on his 264 acres, or enough water to run one pivot. He wanted to know how many more acres he would need to dry up in order to have the additional water for both pivots? He is now in the process of deciding whether to continue with this transfer or not. He mentioned having two other transfers in the works where he is drying up corners to move to a dairy and now wonders if he should just move that water to the land in Section 27 instead? He said he would be in next week to talk with someone on this matter...

February 2, 2000

TO: Transfer File #5498

CC: A43-02447, A43-02448, A43-02450D, A43-10539, A43-10541

FROM: Jeanie Robertson 

This transfer proposes to dry up a total of 35 acres and move .35 cfs each of rights 43-02447 and 43-02448, with a combined limitation of .65 cfs, from lands in Section 15, T13S, R27E. The water appears to be valid from these two rights and available to be moved to the land in Section 27, T13S, R27E.

The problem arises with the land in Section 27, however. There are three claims in Section 27, but the only one with a valid water right seems to be A43-02450D, for 1.52 cfs on 76 acres. There have been some problems with this water right in the past, mostly arising from a transfer (#2595) which was approved to move 2.74 cfs onto 76 acres in a different place of use. The transfer was approved for more than an inch per acre based on information submitted showing the soil types required additional water. There was concern expressed by the Department at the time because only 9.5 acres was designated on 8 different 40-acre tracts. The Department worried that an expansion may occur using the additional water on more than 9.5 acres per tract. It was later determined that an expansion of the place of use had occurred and eventually, after hearings, etc. the transfer was voided. The water reverted back to the original place of use. In 1986, transfer #3227 was approved for 1.52 cfs on 76 acres. (The place of use was two forty-acre tracts in the same general area as previous transfer #2595.)

A43-10539 claims 1.22 cfs on 101.6 acres. This diversion rate appears to be the difference between the 2.74 cfs from transfer #2595 and the 1.52 cfs from transfer #3227. As transfer #2595 was voided and the water reverted back to the original right, this rate cannot be justified. The 101.6 acres can be allowed under **42-1416B** as an **expansion of right A43-02450D**, but with **no additional diversion rate or volume and a priority date of June 30, 1985.**

A43-10541 claimed .62 cfs on 52 acres under **42-1416B**. The acres can be recommended as an **expansion of right A43-02450D**, with **no additional rate or volume of water and the priority date of June 30, 1985.**

If this transfer is approved, it could only allow 2.17 cfs for 264.6 acres. (1.52 cfs from A43-02450D and a combined limit of .65 cfs from portions of rights A43-02447 and A43-02448).

*Additional legal advice is being sought from Deputy Attorney General, Nick Spencer, for the final recommendations of these claims in the SRBA.

R PROOF

CVR

MAPS

PHOTOS

MISC

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—

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—

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Transfer No. 3227Water Right No. 43-2450
T. 2250

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant Norman Brothers Phone 645-2569
Post Office address Malta, ID 83342

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____ (Name)
In case of _____ vs _____
dated in _____ In _____ county of _____
T. 2250
b. License No. 43-2450 Issued by the Idaho Department of Water Resources
c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired _____

Purchase of original land included the right to transfer this ~~add~~ right back to this land

3. Source of water Groundwater tributary to _____4. Date of priority 10-14-1956

5. Water is used for the following purposes:

amount 5.74 cfs for Irrigation purposes from Mar 15 to Nov 15
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 5.74 cubic feet per second
b. 1264 acre feet per annum7. Location of original point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 27
Township 12S Range 28E, B.M., in Cassia County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>12S</u>	<u>28E</u>	<u>27</u>					<u>40</u>	<u>36</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>						<u>316</u>

Total number of acres to be irrigated 316

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in Item D, REMARKS.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B.)

1. Amount of water: a. 1.52 cubic feet per second &/or
b. 304 acre feet per annum
2. Point of diversion SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 27 Township 12S
Range 28E, B.M., Cassia County
Additional points _____
3. Place of use: _____

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
12S	28E	27					40	36											76

Total number of acres to be irrigated 76

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General information

- a. Amount of water to be diverted 1.52 c.f.s. &/or 304 acre feet
- b. Description of diverting works Well & pump, sprinklers
- c. Describe the reasons for the proposed changes Provide water for a portion of lands previously covered by this right. An application for permit has been filed to cover the remainder of the NE $\frac{1}{4}$ Sec. 27 T. 13S R. 27E.

2. Change in point of diversion

Point of diversion NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 27 Township 13S
Range 27E, B.M., Cassia County
Additional points _____

3. Change in place of use

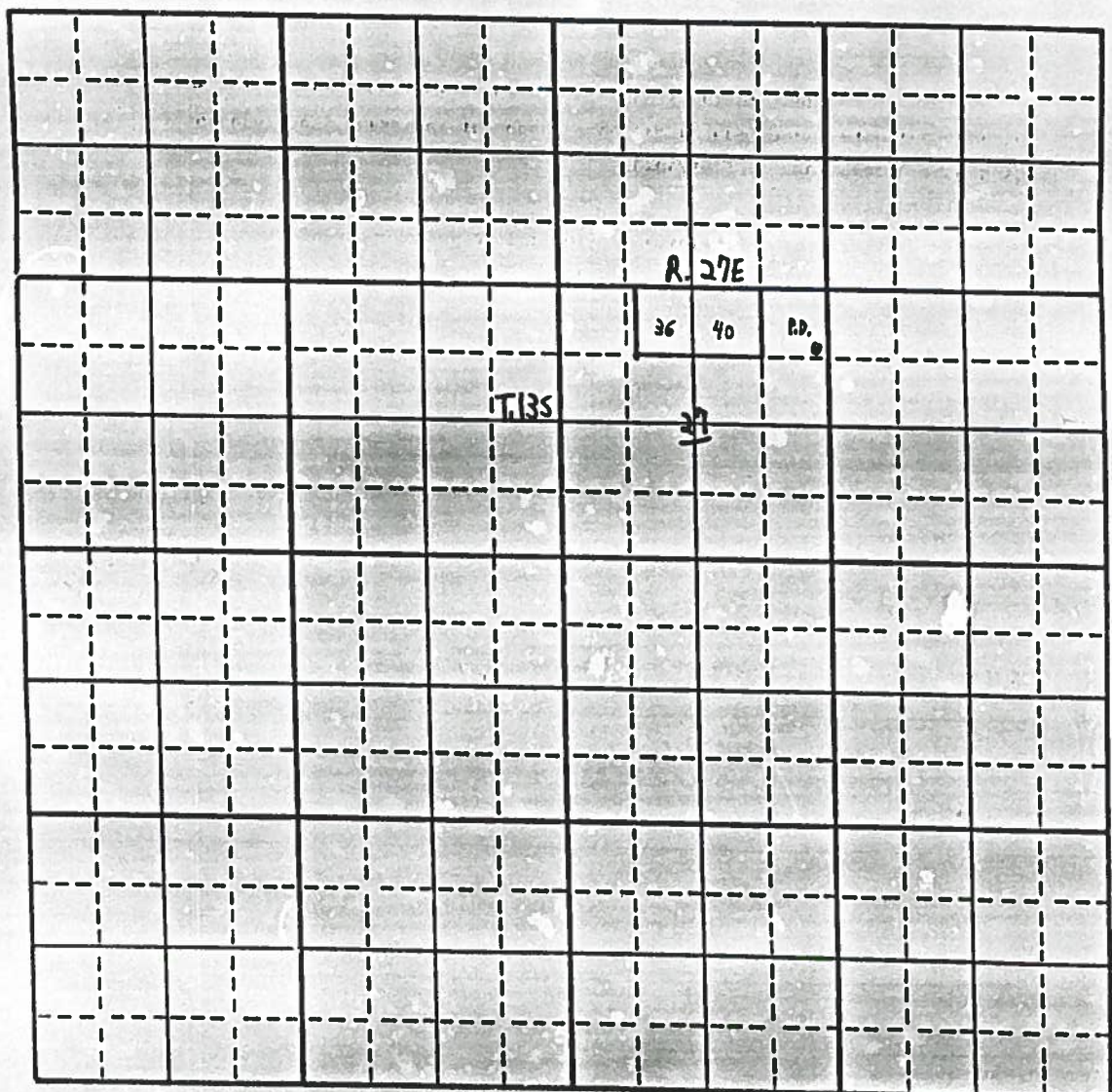
- a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed change.
- b. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer No change. Transfer of this water was previously approved under Trans. 2595, which transfer was later denied.

c. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
13S	27E	27		40			36												76

Total number of acres to be irrigated 76

4. Describe any other water rights used for the same purpose as described above. _____
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink

D. REMARKS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Norman Bros.
Norman Bros.
(Signature of Applicant)

Subscribed and sworn to before me this 13 day of June, 1985

Loren O'Halloran
(Notary Public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 43-2450B and said application is hereby APPROVED, subject to the following limitations and conditions:
1. A totalizing measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works. 2. No more than 266 acre feet/annum shall be diverted under this right. 3. Only land shown in part C(2) of the transfer may be irrigated under this approval. 4. Reasonable access shall be provided to Department personnel in order to determine compliance with the approval transfer. 5. Failure to comply with any of the conditions of approval on the transfer will void the approval. 6. The Director retains jurisdiction of this transfer.

Witness my hand this 7th day of January, 1986

A. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by JP Date 6-13-85 Protest filed by None
Preli. check by ADM Fee \$50.
Received by JP Date 6-13-85 36602
Published in South Idaho Press
Pub. dates 11/21 & 11/22/85
Watermaster recommendation requested on N/A
rec'd. _____
Copies of protest forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial
by ADM Jim